

**REMARKS**

Claims 1-8 are currently pending in the application.

Claim 1 has been amended herein to incorporate the limitation of claim 2. Support for this amendment can be found in, *inter alia*, original claim 2. Accordingly, no new matter has been added by this amendment.

Claim 2 has been cancelled herein without prejudice or disclaimer of the subject matter claimed therein.

Accordingly, after entry of these amendments, claims 1 and 3-8 will be pending in this application.

The outstanding objections and rejections are addressed individually below.

Claim 1 stands rejected under 35 U.S.C. § 101 as allegedly claiming the same invention as that of claim 23 of prior U.S. Patent No. 5,993,844. Applicants respectfully traverse this rejection.

While Applicants do not necessarily agree that claim 1 claims the same invention as claim 23 of prior U.S. Patent No. 5,993,844, Claim 1 has been amended herein to incorporate the limitation of claim 2. Accordingly, Applicants respectfully submit that this rejection under 35 U.S.C. § 101 has been overcome. Applicants respectfully request that this rejection be reconsidered and withdrawn.

Claims 2-8 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 22 and 23 of U.S. Patent No. 5,993,844 and over claim 2 of U.S. Patent No. 6,599,690.

Claim 2 has been cancelled herein; however, the limitation of claim 2 has been incorporated into claim 1. Accordingly, Applicants address this rejection with respect to amended claim 1 and claims 3-8. Although Applicants do not necessarily agree that these claims are unpatentable under the judicially created doctrine of obviousness-type double patenting over claims 22 and 23 of U.S. Patent No. 5,993,844 and over claim 2 of

U.S. Patent No. 6,599,690, Applicants enclose herewith a terminal disclaimer over U.S. Patent No. 5,993,844 and a terminal disclaimer over U.S. Patent No. 6,599,690.

Accordingly, Applicants respectfully submit that these rejections have been overcome. Applicants request that the Examiner reconsider and withdraw these rejections.

### CONCLUSIONS

In view of the arguments set forth above, Applicants respectfully request reconsideration and reexamination of the above-referenced patent application. Applicants submit that the rejections contained in the Office Action mailed on July 9, 2004, have been overcome, and that the claims are in condition for allowance.

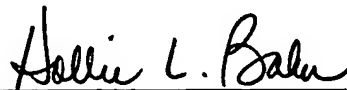
No extensions of time are believed to be due with this submission based on the Office Action mailed on July 9, 2004 (October 9, 2004 being a Saturday, October 10, 2004 being a Sunday, and October 11, 2004 being Columbus Day).

Applicants also enclose herewith a Supplemental Information Disclosure Statement. Please charge the \$180.00 fee for this submission to Deposit Account No. 08-0219.

No other fees are believed to be due in connection with this response. However, please charge any underpayments or credit any overpayments to Deposit Account No. 08-0219.

If the Examiner believes that any further discussion of this communication would be helpful, please contact the undersigned at the telephone number provided below.

Respectfully submitted,



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DATE: October 12, 2004  
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